REMARKS

This is in response to the Office Action mailed on July 27, 2004, and the references cited therewith.

Claims 1, 3, 6, 10 and 15 have been amended; no claims have been canceled or added. As a result, claims 1-15 are now pending in this application. No new matter has been added.

Objections to the Specification

The abstract has been replaced with a revised abstract and it is submitted that this objection has been overcome.

Objections to the drawings

In Figure 3 of the drawings "Virtual Machine 16" has been replaced by "Control Device" 16 to conform to the written description. It is thus submitted that the objection has also been overcome.

Objections to the claims

Claims 3 and 6 have been amended and it is submitted that this objection has also been overcome. The indentation in claims 1, 3, and 10 has also been corrected.

§112 Rejection of the Claims

Claim 15 was rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regards as the invention. It is submitted that claim 15 as amended herein overcomes this objection.

§102 Rejection of the Claims

Claims 1-15 were rejected under 35 USC § 102(e) as being anticipated by Shear et al. (U.S. 6,157,721).

Claim 1

The subject-matter of claim 1 is novel compared with the disclosure of US 6,157,721 (hereinafter referred to as Shear) because Shear does not disclose a control device for providing a protected contents containing the encrypted data, the secure device data, protocol information and attribute data, wherein the attribute data comprises information to find in the protected contents the appropriate protocol for communication between the content player and a secure device for retrieving the information to decrypt the encrypted data.

Instead, Shear is silent on the keys used to encrypt the load module as described on lines 4-7 of column 20. As regards the keys for digital signatures, they are "first" securely provided, for example using a key-exchange protocol (column 13, lines 62-66). Thus, there is no mention of protected contents containing the encrypted data and the secure device data, let alone protocol information and attribute data. Furthermore, there is no mention of communication between a content player and a secure device. Instead, the load module is described as software for use in a protected processing environment (column 8, lines 37-50). It would appear that the encrypted data is used within the secure device, so that there is no need for communication between the protected processing environment and a content player.

It is observed that the specifications referred to in column 8, lines 14-15 and mentioned in the Office Action are only provided to the verifying authority, not to the protected processing environment (column 14, lines 39-40). They are thus not attribute data or protocol information as defined in claim 1.

In view of the above it is submitted that claim 1 is allowable. As claim 2 is dependent upon claim 1, it is also allowable.

Claim 3

The subject-matter of claim 3 is novel compared with Shear, because Shear does not disclose receiving protected contents containing [...] information on a protocol for communication between a content player and a secure device and attribute data comprising information to find in the protected contents the appropriate protocol for communication between the content player and the secure device for retrieving the information to decrypt encrypted data. Consequently, the known system does not comprise a control device programmed to use the attribute data to find the appropriate protocol information to establish a communication interface between a decryption device and a secure device used with the content player. Instead, Shear discloses only that a load module or other executable is encrypted (column 20, line 5) and provided with a digital signature. The load module could enable a set top box to play a movie (column 8, lines 43-45), but is loaded and executed within a protected processing environment (column 8, lines 31-33).

In view of the above it is submitted that claim 3 is allowable. As claims 4-9 are dependent upon claim 3, they are also allowable.

Claim 10

The subject-matter of claim 10 is novel compared with Shear, because Shear does not disclose receiving protected contents containing information on a protocol for communication between a content player and a secure device, and attribute data on the different parts inside the protected contents, the attribute data comprising information to find in the protected contents the appropriate protocol for communication between the content player and the secure device for retrieving information to decrypt encrypted data. Instead, information to decrypt encrypted data is exchanged "first" using a key-exchange protocol (column 13, lines 62-66).

In view of the above it is submitted that claim 10 is allowable. As claims 11-14 are dependent upon claim 10, they are also allowable.

Claim 15

The subject-matter of claim 15 is novel compared with Shear, because Shear does not disclose providing and broadcasting protected contents containing encrypted data *and* secure device data *and* protocol information *and* attribute data comprising information to find in the protected contents the appropriate protocol for communication between the content player and the secure device for retrieving the information to decrypt the encrypted data.

In view of the above it is submitted that claim 15 is also allowable.

Conclusion

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney Andre Marais at 408-333-9972 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By their Representatives,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 29th day of November, 2004.

Dawn R. Shaw _____
Name Signature

IN THE DRAWINGS

Attached is a copy of Figure 3 of the drawings wherein "Virtual Machine 16" has been replaced by "Control Device" 16 to conform to the written description.